

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 0:24-cv-61383-LEIBOWITZ/AUGUSTIN-BIRCH

CHRISTOPHER HOFMANN, individually
and on behalf of the others similarly situated,

Plaintiff,

v.

JERICO PICTURES, INC. d/b/a NATIONAL
PUBLIC DATA,

Defendant.

PLAINTIFF'S MOTION FOR ENTRY OF CLERK'S DEFAULT

Plaintiff Christopher Hofmann moves, pursuant to Federal Rule of Civil Procedure 55(a), for entry of a Clerk's default against Defendant Jerico Pictures, Inc. d/b/a National Public Data, on the following grounds:

1. On August 1, 2024, Plaintiff filed his Class Action Complaint against Defendant, D.E. 1, and timely served it on August 7, 2024. *See* D.E. 8.
2. Under Federal Rule of Civil Procedure 12(a)(1)(A)(i), Defendant was required to respond to the Complaint by August 28, 2024. Defendant failed to do so.
3. Instead, eight days after the deadline, on September 5, 2024, and without conferring with Plaintiff's counsel, Defendant filed a self-styled "Ex Parte Motion to Extend Time to File an Answer or Responsive Pleading." D.E. 9.
4. The following day, on September 6, 2024, the Court denied Defendant's Motion for failure to comply with this District's Local Rules on conferral with all parties prior to filing any motion.

5. There has been no docket activity since September 6, 2024, more than 14 days ago.

Accordingly, Plaintiff moves the Clerk of Court for entry of a Clerk's default against Defendant Jerico Pictures, Inc. d/b/a National Public Data.

Dated: September 21, 2024

Respectfully submitted,

By: Jeff Ostrow

Jeff Ostrow FBN 121452

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 21, 2024, a copy of the foregoing document was filed via the Court's CM ECF filer system, thereby causing a true and correct copy to be sent to all ECF registered counsel of record.

/s/ Jeff Ostrow

Jeff Ostrow